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Attorney for Defendant

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION**

KEVIN WASHINGTON,

Plaintiff,

vs.

MATTHEW BRENT GOETTSCHKE,

Defendant.

Cause No. CV-20-2-BU-BMM-KLD

**DEFENDANT'S MOTION
TO COMPEL ARBITRATION**

MOTION

Defendant Matthew Brent Goettsche ("Goettsche"), through his undersigned counsel, respectfully moves the Court to compel arbitration pursuant to Federal Rule of Civil Procedure 12(b)(3), Section 3 of the Federal Arbitration Act ("FAA") (9 U.S.C. § 3), and in accordance with the parties binding, written agreement. The defendant respectfully submits that this motion should be decided before any other

pending motions and therefore, submits it in advance of the emergency hearing scheduled for January 10, 2020.

RESPECTFULLY SUBMITTED this 9th day of January, 2020.

/s/ John E. Smith
SMITH & STEPHENS, P.C.
Attorney for Defendant

/s/ Nick K. Brooke
SMITH & STEPHENS, P.C.
Attorney for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on the 9th day of January, 2020, a copy of the foregoing document was served on the following persons by the following means:

1, 2 CM-ECF
 Hand Delivery
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1. CLERK, UNITED STATES DISTRICT COURT
2. Kris McLean, Tyson McLean

/s/ Nick K. Brooke
Nick K. Brooke
SMITH & STEPHENS, P.C.
Attorney for Defendant